

## REMARKS

This Amendment and Response is filed in reply to the final Office action dated November 21, 2006. Claims 1, 11 and 15-18 are amended and claims 5-6 and 19 are canceled. Accordingly, after entry of this Amendment and Response, claims 1-4, 7-18 and 20-21 are pending.

### I. Double Patenting

Claims 1-19 are rejected under the judicially-created doctrine of obviousness-type double patenting as unpatentable over claims 1-2 of United States Patent No. 6,507,862 (the “’862 Patent”). In response thereto, the Assignee submits with this response a terminal disclaimer tying any patent issuing from the present application to the ’862 Patent. Accordingly, the Assignee respectfully believes that claims 1-19 are now in form for allowance, and such indication is respectfully requested.

### II. Claim Rejections Under 35 U.S.C. § 102

Claims 1, 5, 7-11, 13-18 and 20-21 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,361,337 to Okin (hereinafter “Okin”). An anticipation rejection requires that each and every limitation of a claim be disclosed in a single prior art reference.

Initially, the rejections of independent claims 1, 11, and, 15-18 are addressed. Independent claim 1 is amended to include the limitations of dependent claims 5 and 6. As amended, independent claim 1 includes the limitation “wherein at least some of the context-selectable storage distributed throughout the pipeline employs multi-bit flip-flops, wherein respective bits of each multi-bit flip-flop correspond to a selectable one of the execution contexts.” Amended independent claims 11 and 15-18 include similar limitations. It is respectfully submitted that Okin does not disclose such a limitation. While Okin discloses duplication of flip-flops for each of the state elements of a processor pipeline and multiplexers coupled to all of the duplicate flip-flops (*see Okin* column 4, lines 2-4 and Figure 4), it does not disclose context-selectable storage distributed throughout the pipeline that employs multi-bit flip-flops, wherein respective bits of each multi-bit flip-flop correspond to a selectable one of the execution contexts as required by the independent claims. Insofar as Okin does not disclose all the limitations of independent claims 1, 11 and 15-18, it cannot anticipate them.

Therefore, it is respectfully submitted that independent claims 1, 11 and 15-18 are patentable over Okin, believed to be in form for allowance, and such indication is respectfully requested. Claim 5 has been canceled. The remaining claims 7-10, 13-14 and 20-21 all

depend, either directly or indirectly, from one of independent claims 1, 11, 16 and 17. Accordingly, these dependent claims 7-10, 13-14 and 20-21 are themselves patentable over Okin for at least the reasons set forth above and such indication is respectfully requested. This statement is made without reference to or waiving the independent bases of patentability within each dependent claim.

### III. Claim Rejections Under 35 U.S.C. § 103

Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Okin in view of U.S. Patent No. 6,146,395 to Dao et al. (hereinafter “Dao”). Claims 3-4 and 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Okin in view of Applicant’s admitted prior art. A proper prima facie obviousness rejection requires 1) a suggestion or motivation to modify the prior art reference or combine the reference teachings; 2) a reasonable expectation of success; and 3) that the combined references teach or suggest all of the claim limitations. See MPEP § 2143.

Claims 2 and 3-4 depend from independent claim 1. For the reasons discussed above, claim 1 is patentable over Okin. While Dao teaches at least two instruction pipelines that operate in parallel (see *Dao* column 1, lines 39-41) and multiple integer central processing units sharing a floating-point unit (FPU) through the use of a register file and multiple input instruction buffers associated with the FPU (see *Dao* column 2, lines 8-13), Dao does not teach or suggest context selectable storage distributed throughout the pipeline employing multi-bit flip-flops, wherein respective bits of each multi-bit flip-flop correspond to a selectable one of the execution contexts as required by independent claim 1. Therefore, it is respectfully submitted that claim 2 is patentable over Okin in view of Dao for at least the same reasons as claim 1 and such indication is respectfully requested.

Applicant’s admitted prior art teaches or suggests executing a single multi-threaded application and separate context for two distinct programs. Applicant respectfully asserts that Applicant’s admitted prior art does not read on original claim 1 or the other independent claims. Further, the admitted prior art does not teach or suggest context selectable storage distributed throughout the pipeline employing multi-bit flip-flops, wherein respective bits of each multi-bit flip-flop correspond to a selectable one of the execution contexts as required by amended independent claim 1. Claims 3-4 depends from claim 1. Therefore, it is respectfully submitted that claims 3-4 are patentable over Okin in view of Applicant’s admitted prior art and such indication is respectfully requested.

Claim 12 depends from independent claim 11. Independent claim 11 is patentable over Okin for the reasons discussed above. While Applicant’s admitted prior art also teaches that it is conventional for exceptions to change context, as previously discussed above, it does not teach or suggest context selectable storage distributed throughout the

pipeline employing multi-bit flip-flops, wherein respective bits of each multi-bit flip-flop correspond to a selectable one of the execution contexts as required by independent claim 11. Therefore, it is respectfully submitted that claim 12 is patentable over Okin in view of Applicant's admitted prior art and such indication is respectfully requested.

IV. Conclusion

The Applicant thanks the Examiner for his thorough review of the application. The Applicant respectfully submits the present application, as amended, is in condition for allowance and respectfully requests the issuance of a Notice of Allowability as soon as practicable.

This Amendment is submitted contemporaneously with a terminal disclaimer and a Request for Continued Examination. Accordingly, please charge Deposit Account No. 04-1415 in the amount of \$920.00 (\$130.00 for the terminal disclaimer and \$790.00 for the Request for Continued Examination). The Applicant believes no further fees or petitions are required. However, if any such petitions or fees are necessary, please consider this a request therefor and authorization to charge Deposit Account No. 04-1415 accordingly.

If the Examiner should require any additional information or amendment, please contact the undersigned attorney.

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Respectfully submitted,



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